IN THE HIGH COURT OF JUDICATURE AT BOMBAY

A.S.

Writ Petition No.363 of 2005

The Chairman
Shri Yamaidevi Seva Pune..Petitioner
vs
Sukhdeo R Gulumkar....Respondent

Mr A.P.Vanarse for petitioner

CORAM: A.P.SHAH J

Dated 10.6.2005

P.C:

. There is no dispute that the wages are liable to be paid as per the minimum wages fixed under the Minimum Wages Act. There is also no dispute about the schedule/annexures which were annexed to the application under section 33C(2). It can be seen from the annexures to the application that the respondent has given details of wages received and minimum wages applicable including basic and special allowance and total amount payable as also difference between the wages paid and wages payable to him. The employer has failed to produce wage register for the relevant period in spite of specific notice. Instead altogether new plea was raised that the respondent was not in the employment of the petitioner during the relevant period. This plea was not raised in the written

statement. The respondent has claimed difference in wages as per the Minimum Wages Act and this right is a statutory right which flows from the provisions of the Act. No interference is therefore called for with the order of the labour court. Petition is dismissed.